

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARC A. SAGGESE,

Plaintiff,

vs.

CHASE HOME FINANCE, LLC, *et al.*,

Defendants.

Case No. 2:09-cv-01884-GMN-PAL

ORDER

(Mot. Ext. Discovery - Dkt. #56)

The court conducted a hearing on Plaintiff's Motion to Extend Discovery as to Defendants Ed Kelly and Professional Recovery Services, Inc. (Dkt. #56) on August 10, 2010. Robert J. Flummerfelt appeared on behalf of the Plaintiff, and Jeffrey Hasson appeared telephonically on behalf of the Defendants.

Counsel for Plaintiff requests a 45-day extension of the discovery cutoff from August 4, 2010 until September 20, 2010 to complete written and deposition discovery. Counsel for Plaintiff states that he held off completing discovery as to Defendants Ed Kelly and Professional Recovery Services, Inc. because of the pending Motion to Dismiss which was recently decided by the District Judge. Judge Navarro entered an order (Dkt. #55) July 19, 2010 granting in part and denying in part these Defendants' Motion for Summary Judgment. Two of the eight claims survived the Motion for Summary Judgment. The District Judge has also entered an order (Dkt. #54) continuing and resetting the calendar call and trial date. The trial is currently set for January 24, 2011.


Having reviewed and considered the matter, the court will grant the request for a 45-day extension of the discovery cutoff. However, the court advised counsel that, absent compelling circumstances and a strong showing of good cause, no further extensions would be allowed. Counsel were directed to forthwith meet and confer to schedule the remaining depositions. The court will not

1 grant a further extension unless the moving party establishes that the discovery could not be completed
2 despite the exercise of due diligence.

3 **IT IS ORDERED** that:

- 4 1. Plaintiff's Motion to Extend Discovery as to Defendants Ed Kelly and Professional
5 Recovery Services, Inc. (Dkt. #56) is **GRANTED**.
- 6 2. The discovery cutoff is extended until September 20, 2010.
- 7 3. Absent compelling circumstances and a strong showing of good cause, no further
8 extensions will be allowed. A party moving for any further continuance must establish
9 that the parties could not, despite the exercise of due diligence, complete the remaining
10 discovery in the extended time allowed.
- 11 4. Counsel for the parties shall forthwith meet and confer to schedule the deposition
12 discovery.

13 Dated this 12th day of August, 2010.

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16 Peggy A. Leen
17 United States Magistrate Judge
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